

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

BARTON L. CARTER and  
PRESTON J. HEJNA,

Defendants.

NO. CR05-0074RSM

ORDER CONTINUING TRIAL

The Court having reviewed the parties' Stipulated Motion to Continue Trial;

THE COURT FINDS that this is a factually-complicated case in which Defendants are charged with conspiracy to transfer plastic explosives, in violation of 18 U.S.C. § 371, possession of plastic explosives, in violation of 18 U.S.C. § 842, and being a felon in possession of a firearm, in violation of 18 U.S.C. § 922(g)(1);

THE COURT FURTHER FINDS that the discovery in this case is extensive, and includes numerous lengthy recordings of conversations;

THE COURT FURTHER FINDS that defense counsel requires additional time beyond the currently-scheduled trial date of June 20, 2005, in order to adequately investigate the case and to effectively represent Defendants;

THE COURT FURTHER FINDS that Defendants have filed waivers waiving their right to a speedy trial until August 15, 2005, in order to allow their counsel time to investigate the case and to prepare for trial; and

1 THE COURT FURTHER FINDS, pursuant to 18 U.S.C. § 3161(h)(8)(A), that the  
2 ends of justice served by continuing the trial in this case outweigh the interest of the public  
3 and of the Defendants in a more speedy trial.

4 IT IS THEREFORE ORDERED that the trial in this case shall be continued until  
5 August 15, 2005, and that the period of time from June 20, 2005, up to and including August  
6 15, 2005, shall be excludable time under 18 U.S.C. § 3161(h)(8)(A).

7 DONE this \_\_\_15\_\_\_ day of June, 2005.

8  
9 /s/ Ricardo S. Martinez  
10 RICARDO S. MARTINEZ  
United States District Judge

11 Presented by:

12 /s/C. Andrew Colasurdo  
C. ANDREW COLASURDO  
Special Assistant United States Attorney

13 /s/Andrew C. Friedman  
14 ANDREW C. FRIEDMAN  
Assistant United States Attorney  
15 United States Attorney's Office  
700 Stewart Street, Suite 5220  
16 Seattle, WA 98101  
Telephone: (206) 553-7970  
17 Fax: (206) 553-0755  
E-mail: Andrew.Colasurdo@usdoj.gov  
18 Andrew.Friedman@usdoj.gov

19 /s/Jeffrey H. Smith  
20 JEFFREY H. SMITH  
Attorney for Barton L. Carter  
21 1601 Fifth Avenue, Suite 2200  
Seattle, Washington 98101  
22 Telephone: (206) 340-0053  
Fax: (206) 624-1767  
23 E-mail: jeff@jeffsmithlaw.com

24 /s/Bruce D. Erickson  
25 BRUCE D. ERICKSON  
Attorney for Preston J. Hejna  
26 411 University Street, Suite 1200  
Seattle, Washington 98104  
27 Telephone: (206) 624-1200  
Fax: (206) 340-5988  
28 E-mail: brucederickson@hotmail.com